

J KEVIN ELLIS
P O BOX 1616
MORGANTOWN, WV 26507-1616

675 629

DECLARATION OF OIL AND GAS NOTICE

(Tax Map 7, Cameron District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY
CONSOL PENNSYLVANIA COAL COMPANY LLC
RESERVE COAL PROPERTIES COMPANY

CONSOLIDATION COAL COMPANY
McELROY COAL COMPANY
CNX LAND RESOURCES INC.

**C/O LEATHERWOOD, INC.
1000 CONSOL ENERGY DRIVE
CANONSBURG, PA 15317-6506**

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by D. E. MICRAKOW, its ASSISTANT MANAGER, by authority duly given.

CONRHEIN COAL COMPANY
a Pennsylvania corporation:

By: 
Its: ASSISTANT MANAGER

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by ROBERT P. KING, its VICE PRESIDENT, by authority duly given.

CONSOLIDATION COAL COMPANY
a Delaware corporation:

By: [Signature]
Its: Vice President

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by ROBERT P. KING, its VICE PRESIDENT, by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC
a Delaware limited liability company:

By: [Signature]
Its: Vice President

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by D. R. LICHTACKER, its VICE PRESIDENT, by authority duly given.

RESERVE COAL PROPERTIES COMPANY
a Delaware corporation:

By: [Signature]
Its: VICE PRESIDENT

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 22 day of DECEMBER, 2008, by CHARLES T. SHAYNAK, its VICE PRESIDENT, by authority duly given.

MCELROY COAL COMPANY
a Delaware corporation:

By: Charles T. Shaynak
Its: VICE PRESIDENT

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by D. P. LICOPACEN, its VICE PRESIDENT, by authority duly given.

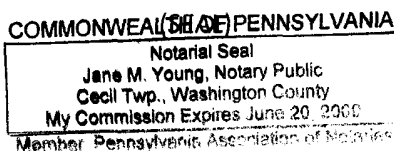
CNX LAND RESOURCES INC.
a Delaware corporation:

By: D. P. Licopacen
Its: VICE PRESIDENT

NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. P. LICOPACEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASST. MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.



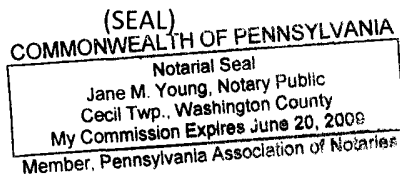
Jane M. Young
Notary Public

My Commission expires JUNE 20, 2010

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KIRBY, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

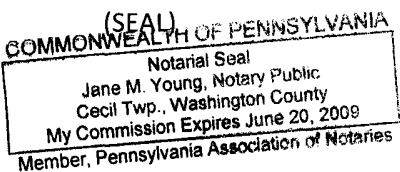


Jane M. Young
Notary Public
My Commission expires JUNE 20, 2009

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KIRBY, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

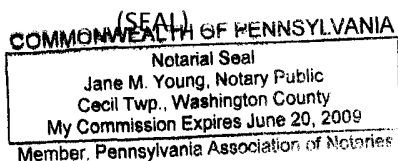


Jane M. Young
Notary Public
My Commission expires JUNE 20, 2009

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. P. LOCKACKER, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

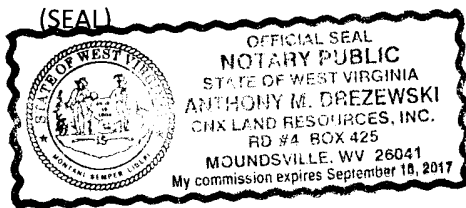


Jane M. Young
Notary Public
My Commission expires JUNE 20, 2009

STATE OF WEST VIRGINIA
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MARSHALL

BOOK 675 PAGE 633

Before me, ANTHONY M. DREZEWSKI, a Notary Public, on this day personally appeared CHARLES T. SHAYNAK, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE-PRESIDENT of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 22 day of DECEMBER, 2008.



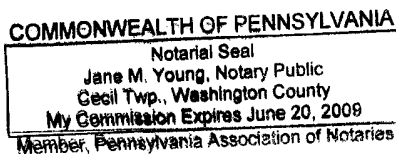
Anthony M. Drezewski
Notary Public

My Commission expires September 18, 2017

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. P. LICEPACEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 11 day of DECEMBER, 2008.

(SEAL)



Jane M. Young
Notary Public

My Commission expires JUNE 20, 2009

This Document Prepared By:
J. Kevin Ellis
WV Bar No. 9964
Steptoe & Johnson PLLC
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Morgantown, WV 26507
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JAN PEST
MARSHALL County 10:27:41 AM
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EXHIBIT A - SURFACE TRACTS (BAILEY MINE)
Tax Map 7, Cameron District, Marshall County, West Virginia

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
7	1	ISNER	RHONDA LYNN	RR 3 BOX 368	CAMERON	WV	26033	3.15 POPLAR SPRINGS	640/368
7	2	CUNNINGHAM	ROGER L ET UX	RR 3 BOX 373	CAMERON	WV	26033	1.077 A GRAVE CREEK	426/491
7	2.1	HILL	ELIEN - LIFE	RR 3 BOX 371	CAMERON	WV	26033	.676 CLOUSTON	650/509
7	3	STROPE	KEVIN L	RR 3 BOX 369	CAMERON	WV	26033	32.54 GRAVE CREEK	601/539
7	4	ARNETT	DUNCAN R ET UX	RR 3 BOX 376B	CAMERON	WV	26033	55.663 A M GRAVE CREEK	577/616
7	4.1	MCELROY COAL COMPANY		1000 CONSOL ENERGY DRIVE	CANONSBURG	PA	15317	1.458 A M GRAVE CREEK	675/174
7	4.2	BLEDSOE	BILLY JR & CLARA	RD 3 BOX 375	CAMERON	WV	26033	.499 A M GRAVE CREEK	643/17
7	4.3	CROW	COLLEEN LYNN	RR 5 BOX 234	MOUNDSVILLE	WV	26041	1.045 A M GRAVE CREEK 1974	WB63/192
7	4.4	WILLIAMS	EARL C ET AL	RR 3 BOX 376	CAMERON	WV	26033	MOBILE HOME	645/339
7	5	RICHMOND	COURTNEY E	PO BOX 72	CAMERON	WV	26033	.09 A 3922.10 SQ FT GRAVE CREEK	597/361
7	6	RICHMOND	COURTNEY E	PO BOX 72	CAMERON	WV	26033	6.73 A M GRAVE CREEK	597/361
7	7	ARNETT	DUNCAN R ET UX	RR 3 BOX 376B	CAMERON	WV	26033	2.205 A GRAVE CREEK	577/616
7	8	MCELROY COAL COMPANY						48.62 M GRAVE CREEK	675/174
7	9	DURBIN	CHRISTOPHER W	RR 4 BOX 436	CAMERON	WV	26033	123.743 WAYNESBURG ROAD	642/649
7	9.1	MATTHEWS	MICHAEL WAYNE	46 WAYNESBURG AVE	CAMERON	WV	26033	1.257 A WAYNESBURG ROAD MH STORAGE	551/401
7	9.2	WADE	ROBERT F. ET UX - LIFE						
7	10	DURBIN	KEVIN R. ET AL	RR 4 BOX 436	CAMERON	WV	26033	1 AC WAYNESBURG ROAD	629/584
7	11	LUCEY	CLINT L & ASHLEY A	RR 3 BOX 286	CAMERON	WV	26033	11.46 GRAVE CREEK	622/97
7	12	LILLEY	BRIAN DALE ET UX	RR 3 BOX 286	CAMERON	WV	26033	23.28 GRAVE CREEK	622/97
7	13	NEELY	DUSTIN R. & MOLLIE M.	RR 3 BOX 273	CAMERON	WV	26033	10 GRAVE CREEK	605/550
7	13.1	MCELROY COAL COMPANY		65 NORTH AVE	CAMERON	WV	26033	94.93 A GRAVE CREEK	661/24
7	13.2	MCELROY COAL COMPANY						1 A GRAVE CREEK 1964 MOBILE HOME	670/184
7	14	YOUNG	RAYMOND A JR	RR 3 BOX 283	CAMERON	WV	26033	1 AC GRAVE CREEK	670/184
7	15	WHYTE	RANDY A & REEDA K	RR 3 BOX 277 B	CAMERON	WV	26033	69.84 GRAVE CREEK	567/339
7	16	WHYTE	RANDY A & REEDA K	RR 3 BOX 277B	CAMERON	WV	26033	43.06 ROCK LICK	648/528
7	17	MATTHEWS	VIOLETTA	RR 3 BOX 262	CAMERON	WV	26033	45.46 M GRAVE CREEK	519/567
7	17.1	LAHEW	LORENA K ET VIR	RR 3 BOX 262A	CAMERON	WV	26033	84.318 GRAVE CREEK	WB75/242
7	17.1	LAHEW	LORENA K ET VIR	RD 3 BOX 262A	CAMERON	WV	26033	1.092 A GRAVE CREEK	569/28

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Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
7	18	FLETCHER	GEORGE DONALD ET UX	RR 3 BOX 263	CAMERON	WV	26033	94.621 GRAVE CREEK	426/561
7	18.1	KRANITZ	WILLIAM	3435 SW 5TH PL	CAPE CORAL	FL	33914	84.309 A GRAVE CREEK	656/241
7	19	HINERMAN	BONNIE LEE	RR 3 BOX 265	CAMERON	WV	26033	113.74 GRAVE CREEK	459/91
7	19.1	MAGERS	DAVID LEE	RR 3 BOX 267	CAMERON	WV	26033	6 A GRAVE CREEK	596/638
7	20	SAMPSON	DON ALFRED ET UX	RR 3 BOX 266	CAMERON	WV	26033	30.517 A GRAVE CREEK	508/250
7	20.1	MAGERS	DAVID LEE	RR 3 BOX 267	CAMERON	WV	26033	59.593 A GRAVE CREEK BARN	596/638
7	20.2	MAGERS	DAVID LEE	RR 3 BOX 267	CAMERON	WV	26033	1.103 A GRAVE CREEK	596/638
7	20.3	WOOD	ARDEN B ET UX	RR 3 BOX 264	CAMERON	WV	26033	35.787 A GRAVE CREEK	550/218
7	20.4	WOOD	CHRISTOPHER G	RR 3 BOX 264	CAMERON	WV	26033	2 AC GRAVE CREEK	663/433
		PHILLIP	EVELYN						
		IZARD	JANE BETH						
		CARPONE	RUTH CHRISTIAN LEE						
7	21	ROGERS	JAMES M ET UX	RR 3 BOX 269	CAMERON	WV	26033	96.75 A GRAVE CREEK	WB77/638
7	21.1	ROGERS	BERTHA - LIFE	RR 3 BOX 270	CAMERON	WV	26033	3.25 A GRAVE CREEK	445/40
7	22	LILLEY	CHARLES H ET UX	RR 3 BOX 271	CAMERON	WV	26033	141.084 GRAVE CREEK	604/173
7	22.1	RAYL	KEVIN R ET UX - LIFE	RR 4 BOX 436	CAMERON	WV	26033	12.029 A GRAVE CREEK	539/533
7	23	DURBIN	CHARLES H ET UX	RR 3 BOX 271	CAMERON	WV	26033	98.001 A GRAVE CREEK	642/643
7	23.1	RAYL	LESLIE F ET UX	RR 4 BOX 434	CAMERON	WV	26033	6.524 A GRAVE CREEK 70 MOBILE	539/533
7	23.2	YOCUM	CHARLES H ET UX	RR 3 BOX 271	CAMERON	WV	26033	33.429 A GRAVE CREEK	497/401
7	23.3	RAYL	KEVIN RAY ET UX - LIFE	RR 4 BOX 436	CAMERON	WV	26033	13.476 A GRAVE CREEK	593/507
7	23.4	DURBIN	KEVIN R ET UX	RR 4 BOX 436	CAMERON	WV	26033	3620.85 SQ FT .083 A GRAVE CREEK	532/586
7	23.5	DURBIN	RALPH N ET UX	RR 4 BOX 431	CAMERON	WV	26033	16 A GRAVE CREEK	491/400
7	24	LEMONS	THOMAS E ET UX	RR 4 BOX 435E	CAMERON	WV	26033	1.085 A GRAVE CREEK	500/9
7	25	WRIGHT	KEVIN R ET UX - LIFE	RR 4 BOX 436	CAMERON	WV	26033	15.371 A GRAVE CREEK	642/647
7	25.1	DURBIN	MACK L	RR 4 BOX 435	CAMERON	WV	26033	458 A GRAVE CREEK	492/511
7	25.2	JOHNSON	TIMOTHY T ET UX	RR 4 BOX 435E	CAMERON	WV	26033	4.922 A GRAVE CREEK	613/552
7	25.3	WRIGHT	DENNIS L & DAVID E	RR 4 BOX 430	CAMERON	WV	26033	11.744 A GRAVE CREEK	WB68/150
7	25.4	WEEKLY	LARRY D ET UX	RR 4 BOX 435C	CAMERON	WV	26033	2.713 A GRAVE CREEK	548/669
7	25.5	HULL	DAVID LEE ET UX	RR 4 BOX 432	CAMERON	WV	26033	25.884 GRAVE CREEK	606/578
7	26	HOLMES	DAVID LEE ET UX	RR 4 BOX 432	CAMERON	WV	26033	5.866 GRAVE CREEK	606/578
7	27	HOLMES	DAVID LEE ET UX	RR 4 BOX 432	CAMERON	WV	26033		

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Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
7	28	LEMONS	RALPH N ET UX	RR 4 BOX 431	CAMERON	WV	26033	PARCEL SCHOOL LOT	491/400
7	29	HOLMES	DAVID LEE ET UX	RR 4 BOX 432	CAMERON	WV	26033	1.25 GRAVE CREEK	606/578
7	30	GREATHOUSE	RONALD D ET UX	RR 4 BOX 437	CAMERON	WV	26033	12.5 GRAVE CREEK	600/315
7	30.1	MURRAY	JEFFREY ALLEN & KATHY JEAN BLAKE	RR 4 BOX 438	CAMERON	WV	26033	.720 A GRAVE CREEK	616/444
7	31	MURRAY	JEFFREY ALLEN & KATHY JEAN BLAKE	RR 4 BOX 438	CAMERON	WV	26033	1 NEAR ATHLETIC FIELD	616/444
7	32	BOARD OF EDUCATION	JOHN & SHERLYN G LIVING TRUST	2700 4TH ST	MOUNDSVILLE	WV	26041	6.4525 BALL PARK & SCHOOL	
7	33	WOODSTUFF		21410 PALATKA DR	DUNNELLON	FL	34431	20.526 M GRAVE CREEK LESS MINERALS	639/551
7	33.1	MARSHALL CO BOARD OF EDUCATION		2700 4TH ST	MOUNDSVILLE	WV	26041	PARCEL 10FT X 90FT M GRAVE CREEK AND .201A	667/274
7	33.2	WEEKLY	DENNIS L & DAVID E	RR 4 BOX 430	CAMERON	WV	26033	1.508 M GRAVE CREEK	WB68/150
7	33.3	WEEKLY	DENNIS L & DAVID E	RR 4 BOX 430	CAMERON	WV	26033	1.263 A M GRAVE CREEK	WB68/150
7	33.4	EAGAN	J MICHAEL ET UX	RR 3 BOX 379	CAMERON	WV	26033	.50 A M GRAVE CREEK	496/256
7	33.4	EAGAN	J MICHAEL ET UX	RR 3 BOX 379	CAMERON	WV	26033	49.25 A M GRAVE CREEK	496/256
7	33.5	MARSHALL CO BOARD OF EDUCATION		2700 4TH ST	MOUNDSVILLE	WV	26041	PARCEL M GRAVE CREEK	667/274
7	33.6	CAMERON CITY OF			CAMERON	WV	26033	15 A M GRAVE CREEK	564/381
7	34	MARSHALL CO BOARD OF EDUCATION		2700 4TH ST	LITTLETON	WV	26581	.41 M GRAVE CREEK	669/5
7	35	WHIPKEY	BETTY LOUISE	RR 4 BOX 425	CAMERON	WV	26033	PARCEL POPLAR SPRINGS RD	WB73/633
7	36	WHIPKEY	BETTY LOUISE	RD 4 BOX 425	CAMERON	WV	26033	PARCEL 100 FT S R 6	WB73/633
7	37	GLEN EASTON COMMUNITY CHURCH TRS			MOUNDSVILLE	WV	26041	LOT CLOUSTON	618/337
7	38	MUELLER	JOHN FRITZ ET AL	RR 3 BOX 362C	CAMERON	WV	26033	116.242 GRAVE CREEK & O&G	618/421
7	38.1	M E CHURCH TRUSTEES			MOUNDSVILLE	WV	26041	1.268 A CLOUSTON	352/84
7	38.2	DEMEWOLF	DAVID A & KIM R	RR 4 BOX 424A	CAMERON	WV	26033	15 A GRAVE CREEK & O&G	617/223
7	39	MUELLER	JOHN FRITZ ET AL	RR 3 BOX 362C	CAMERON	WV	26033	9.80 GRAVE CREEK & O&G	618/421
7	40	DRAKE	JAMES D ET UX	RR 3 BOX 383	CAMERON	WV	26033	1 A & PARCEL GRAVE CREEK	393/545
7	41	DRAKE	JAMES D ET UX	RR 3 BOX 383	CAMERON	WV	26033	.86 GRAVE CREEK	549/694
7	42	DRAKE	JAMES D ET UX	RR 3 BOX 383	CAMERON	WV	26033		393/545
7	43	EAGAN	MICHAEL J	RR 3 BOX 379	CAMERON	WV	26033	87.795 GRAVE CREEK	496/256
7	43	EAGAN	MICHAEL J	RR 3 BOX 379	CAMERON	WV	26033	PARCEL FILLING STATION	496/256
7	44	HILL	JAMES R ET UX	RR 3 BOX 372	CAMERON	WV	26033	.240 A CLOUSTON 1973 MOBILE HOME	437/76

EXHIBIT A - SURFACE TRACTS (BAILEY MINE)
Tax Map 7, Cameron District, Marshall County, West Virginia

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
7	45	SIMMS	WILLIAM W ET UX	RR 3 BOX 272	CAMERON	WV	26033	.827 A GRAVE CREEK	445/620

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, IAN PESTY, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 17th day of December 2008, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 7th day of January 2009 at 10:27 o'clock A.M.

TESTE: Ian Pesty Clerk.